

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office SEP 17 1976 New priority date JAN 25 1985Returned to applicant for correction NOV 8 1976Corrected application filed NOV 12 1976 Map filed SEP 17 1976The applicant James J. Newman for Newman Construction Ltd. a Nevada Corp.1779 W. King St. of Carson City  
Street and No. or P.O. Box No. City or TownNevada 89701, hereby make S. application for permission to change the  
State and Zip Code No.Manner and Placeof water heretofore appropriated under Application No. 25546of Decreed right Adjudicated Nov. 14, 1885(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)Ormsby County1. The source of water is Ash Canyon (Gregory Creek)Name of stream, lake or other source.2. The amount of water to be changed 14 ac. ft. per yearSecond feet, acre feet.3. The water to be used for MunicipalIf for stock state number and kind of animals.4. The water heretofore used for IrrigationIf for stock state number and kind of animals.5. The water is to be diverted at the following point SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 12, T.15N., R.19E.M.D.B.&M. at a point from which the SW corner of Sec. 12 bears S.Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be75° 35' 47" W. a distance of 1585.96 ft.stated.

6. The existing point of diversion is located within

If point of diversion is not changed, do not answer.7. Proposed place of use Sec. 33, W $\frac{1}{2}$  Sec. 34, S $\frac{1}{2}$  Sec. 31, S $\frac{1}{2}$  Sec. 32, T.16N.,Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.R.20E., Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, N $\frac{1}{2}$  11, 15, 16, 17,18, E $\frac{1}{2}$  19, 20, 21, W $\frac{1}{2}$  28, 29, E $\frac{1}{2}$  30, E $\frac{1}{2}$  31, 32, W $\frac{1}{2}$  33, T.15N., R.20E.,E $\frac{1}{2}$  Sec. 1, Sec. 12 T.15N., R.19E., M.D.B.&M.8. Existing place of use S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 12 & Portion of N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 13Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.T.15N., R.19E., M.D.B.M.9. Use will be from 1 January to 31 December of each year.Day and MonthDay and Month10. Use has been ~~from~~ as decreed to of each year.Day and MonthDay and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) Screening Box & Pipe, line, meterState manner in which water is to be diverted, whether by dam or other works,for connection from point of diversion to Carson City municipalwhether through pipes, ditches, flumes, or other conduits.water system.

12. Estimated cost of works.....\$5,000
13. Estimated time required to construct works.....1 yr.
14. Estimated time required to complete the application of water to beneficial use 3 yr.
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared NS:JW Newman Construction Ltd.  
 Applicant James J. Newman, President  
 By s/James A. Rankin  
James A. Rankin P. E.  
150 Manzanita Terrace  
Carson City, Nevada 89701  
 APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:  
 See attached sheet.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 14.0 acre-feet annually ~~cost per person~~

Actual construction work shall begin on or before.....October 18, 1977  
 Proof of commencement of work shall be filed before.....November 18, 1977  
 Work must be prosecuted with reasonable diligence and be completed on or before.....October 18, 1978  
 Proof of completion of work shall be filed before.....November 18, 1978  
 Application of water to beneficial use shall be made on or before.....October 18, 1981  
 Proof of the application of water to beneficial use shall be filed on or before.....November 18, 1981  
 Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....NOV 6 1978  
 Completion of work filed.....NOV 6 1978  
 Proof of beneficial use filed.....  
 Cultural map filed.....  
 Certificate No. .... Issued.....  
 Recorded.....DEC 3 1984.....Page.....

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 18th day of April

A.D. 19 77 Robert D. Westergard  
 WITHDRAWN BY APPLICANT MAY 26 1980  
 STATE ENGINEER

John L. Morrow  
 CONSTRUCTION REQUIRED 3-26-R-5

Serial No. 30668

APPROVAL OF STATE ENGINEER

This permit to change the manner of use and place of use of a portion of the waters of Ash Canyon Creek (aka Gregory's Canyon Creek) as heretofore granted under Permit 25546 is issued subject to the terms and conditions imposed in said Permit 25546 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit is further issued subject to the following conditions:

1. The permit is issued subject to all existing rights on the source with the understanding that the diversion will be regulated according to the Newman period of use under the present accepted rotation schedule on the stream system and further that the diversion will be subject to any changes in that rotation schedule.
2. That the works of diversion will not impede or restrict the flow of the channel in any manner.
3. That totalizing meters be installed on the diversion works with annual reports submitted to the Division of Water Resources on actual amounts of diversion.
4. That this permit is issued subject to those terms and conditions described under "Agreement For Delivery of Water" between Newman Construction, Ltd. and the City of Carson dated March 22, 1977.
5. That the total annual amount of water diverted shall not exceed 14.0 acre-feet annually in accordance with the "Agreement For Delivery of Water" described above.

